



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



November 29, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012


Dear Supervisors:

**30-DAY STATUS OF RECOMMENDATIONS MADE IN THE OCTOBER 18, 2011,
BOARD OF SUPERVISORS' MEETING REGARDING THE MERRICK BOBB AND
OFFICE OF INDEPENDENT REVIEW REGARDING THE JAIL SYSTEM**

On October 18, 2011, your Board requested that the Sheriff's Department (Department) report back on the motion to immediately implement the recommendations previously made by Special Counsel Merrick Bobb and the Office of Independent Review. In addition, your Board requested the Department report back on deputy worn video cameras, the status of the Department's hiring practices, sting audits, a force rollout team, and the length of time deputies serve in the jails. Attached is an update on each recommendation from the November 1, 2011, response.

Should you have any questions or require additional information, please contact me or Assistant Sheriff Cecil W. Rhambo, Jr. at (323) 526-5065.

Sincerely,



LEROY D. BACA
SHERIFF

A Tradition of Service

RECOMMENDATIONS BY MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW
REGARDING THE JAIL SYSTEM

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT

The purpose of this document is to provide a status to the recommendations by date, title, prepared by Special Counsel Merrick J. Bobb, the Office of Independent Review, and the Board of Supervisors.

I. Install surveillance cameras at the Men's Central Jail, the Inmate Reception Center and the Twin Towers within 30 days and develop a plan to purchase and install surveillance cameras at the remaining jail facilities.

The Department received 300 cameras on November 23, 2011, which is Phase II of this project and will be installed at Men's Central Jail (MCJ) and Twin Towers Correctional Facility (TTCF). This is in addition to the 86 cameras that were previously installed as of October 31, 2011. The installation priority for the assessment of force incidents is what currently determines the schedule. The 300 additional cameras will be installed by January 15, 2012.

Listed below depicts the Department's current status on camera installation for MCJ, TTCF, and the Inmate Reception Center (IRC) and the total cameras upon completion of the project.

Men's Central Jail

	<u>Old Side</u>	<u>New Side</u>	<u>Total</u>
Cameras needed:	473	205	678
HD cameras Installed:	80	0	80
Existing analog cameras:	50	50	100
Cameras to be installed or replaced	393	205	598

Inmate Reception Center

Cameras needed:	104
HD Cameras Installed:	17
Existing analog cameras:	35
Cameras to be installed or replaced	87

Twin Towers Correctional Facility

	<u>Tower I</u>	<u>Tower II</u>	<u>Total</u>
Cameras needed:	332	345	677
Cameras Installed:	0	0	0
Existing analog cameras:	36	39	75
Cameras to be installed or replaced	332	345	677

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The Internal Services Division (ISD) has agreed to provide the Department 9 contract employees to assist this effort, which will enable installation 10-hours a day, 7-days a week.

The Department is currently processing an order through ISD for 800 additional cameras. These cameras will continue to outfit MCJ and TTCF. Currently, staff is developing a time frame for installation.

Data Storage

Currently, all camera recordings are being retained for 30-days pending the installation of new servers. ISD is assisting the Department by working on an interim data storage solution (90-days) until permanent data storage is acquired. However, any noteworthy incident is immediately copied to a permanent file for any investigative purpose.

The Sheriff's Department's Data Systems Bureau (DSB) is working in conjunction with the Chief Information Office (CIO) to develop the specifications for the permanent data storage system. The system will be sized to capture and store 25 months of CCTV video. It is estimated this system will cost \$4 million. The system will have the capability of expansion should the need arise.

II. Eliminate the use of heavy flashlights as batons to subdue inmates.

The Sheriff's Department is currently consulting with the Association for Los Angeles Deputy Sheriffs (ALADS) in regard to eliminating heavy flashlights.

III. Eliminate the use of "steel-toe" shoes.

Recommendation implemented – noted in the November 1, 2011, letter.

On October 24, 2011, the Department made revisions to the existing "Footwear" policy (3-03/225.00).

Research of existing personnel showed that Department personnel have never worn "steel toe" boots in any capacity; however, the Department formally revised the policy to strictly prohibiting any use of "steel toe" boots.

IV. Revise the Policy on Head Strikes with Impact Weapons to forbid all head strikes, including, but not limited to, head strikes against fixed objects such as floors, walls or jail bars, unless the standard for lethal force has been met.

RECOMMENDATIONS BY MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW
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Recommendation implemented – noted in the November 1, 2011, letter.

On October 10, 2011, the Sheriff initiated a new policy “Force Prevention Policy” (3-02-035.00) which provides directions for personnel relating to respect based treatment of incarcerated individuals.

On October 26, 2011, the Department made additions to the existing “Unreasonable Force” policy (3-01/025.10) to strictly prohibit head strikes against a hard object.

Additionally, the new Custody Force Response Team has established criteria to respond to any head strike, whether strike initiated by personnel, or by contact with floors, walls or other hard objects.

V. Rotate Jail Deputies between floors at Men’s Central Jail and to other jail facilities at no less than six-month intervals.

Recommendation implemented – noted in the November 1, 2011, letter.

In January 2011, Men’s Central Jail began rotating their staff no less than every six months. All other jail facilities are currently developing these scheduled rotations for immediate implementation.

VI. Enforce the Anti-Retaliation Policy to prevent Sheriff deputies from retaliating against inmates speaking with legal representatives or inmate advocacy groups or for expressing dissatisfaction with jail conditions.

Recommendation implemented – noted in the November 1, 2011, letter.

In August 2011, the Department made revisions to the existing “Treatment of Inmates (5-12/005.00) policy to prevent deputies from retaliating against inmates. All staff assigned to Custody and Correctional Divisions were provided a formal briefing of the revisions to the policy. The briefing began August 4, 2011, and continued for a two-week period. In addition, the Department has redistributed the policy on October 25, 2011, for another two-week recurring briefing to ensure each staff member is fully aware of the expectations of the policy and have mandated quarterly recurring briefings be conducted.

All complaints of retaliation will be thoroughly investigated by Internal Affairs and reviewed by the Commanders in the CMTF.

VII. Interviews of inmates who make claims of excessive force should not be conducted by, or in the presence of, the deputies or their supervising sergeant involved in the alleged use of force.

RECOMMENDATIONS BY MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW
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Recommendation implemented – noted in the November 1, 2011, letter.

On October, 26, 2011, the Department made revisions to the existing “Use of Force Reporting and Review Procedures” policy (5-09/430.00) ensuring privacy during force interviews.

In addition, the new Custody Force Response Team has the responsibility to immediately assume control of the investigation and initiate an internal investigation if any policy violations are observed.

VIII. Interviews of inmates alleging use of force and any witnesses must occur as soon as feasibly possible, but no later than within 48 hours of the incident.

Recommendation implemented – noted in the November 1, 2011, letter.

On October, 26, 2011, the Department made revisions to the existing “Use of Force Reporting and Review Procedures” policy (5-09/430.00) directing supervisors to conduct interviews within 48 hours.

IX. Develop a prioritization process for Use of Force Investigations to ensure that the most severe incidents are completed within 30 days and that all others are completed within 60 to 90 days.

Recommendation Implemented – noted in November 1, 2011, letter.

As noted in the November 1, 2011, letter, the Departments developed a new Custody Force Response Team (CFRT) Policy that established new criteria for force review in the jails. The new categories of force and the CFRT ensure that more severe force cases are externally evaluated and completed within 30 days. At that time, they are reviewed by the newly formed Custody Force Review Committee (CFRC), which consists of three Commanders.

The Department continues to process the most severe incidents as Internal Affairs Investigations, which are generally completed within 90 days unless unexpected circumstances arise.

X. Develop a plan for more intense supervision that requires jail sergeants to directly supervise jail deputies, including walking the row of jail cells and floors and responding as soon as possible to any notification of interaction where force is being used on an inmate.

Recommendation Implemented at MCJ – noted in November 1, 2011, letter.

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On October 27, 2011, the Department delivered a letter to the Chief Executive Officer requesting additional supervisory staff in the jails. However, the Department felt it was imperative to immediately increase staffing at MCJ.

Effective November 6, 2011, 19 sergeants were added to MCJ current staffing to ensure the appropriate supervision was in place. These items were removed from other critical areas within the Department and deployed to cover both Day and PM shifts. There are now 2 sergeants assigned to 2000, 3000, 4000, 5000, and 9000 floors, and a full-time sergeant dedicated to 1700/1750. All sergeants were briefed on the expectations to be visible and actively monitoring activity on the floor at all times. In addition, the Department is working on "duty statements" for all Custody personnel to ensure they have a full understanding of the expectations of their assignment.

- XI. Immediately mandate that all custody medical personnel report all suspicious injuries of inmates to the Internal Affairs Unit or the Captain of the jail facility where the inmate is housed.**

Recommendation implemented – noted in the November 1, 2011, letter.

On October 28, 2011, the Department's Medical Services Bureau revised the "Injury/Illness Report Inmate" policy (M206.09) to include a provision requiring medical staff to advise the facility watch commander in the event an inmate reports/alleges that their injuries are the result of a force used by a Department employee.

To date, all medical personnel have been noticed of the new policy. As a result of this new policy, one incident was reported and documented as an use of force incident.

- XII. Report back on the role of the new Jail commanders and how they will be used to reduce jail violence.**

The new Jail Commanders continue to work with each Custody unit to accomplish the goals set forth by the Sheriff and Commander Management Task Force (CMTF).

The new Jail Commanders oversee the operations of the CMTF, which is comprised of 4 commanders, 8 lieutenants, 8 sergeants, and 4 support staff. The lieutenants, sergeants, and support staff are all items that were removed from critical units within the Department and deployed to this task force.

The CMTF Mission is to assess and transform the culture of the custody facilities in order to provide a safe, secure learning environment for our Department personnel and the inmates placed in the Department's care. The CMTF's

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purpose is to empower Department personnel to provide a level of professionalism and serve the needs of inmates consistent with the Department's "Core Values."

The CMTF's responsibilities and goals include promoting community trust, reducing jail violence by changing the deputy culture of the custody environment, encouraging respect based communications with inmates, review and implement new training for staff assigned to the jails, prepare and revise all directives/policies necessary to implement Special Counsel Merrick Bobb/Office of Independent review recommendations, analyze force incidents and developing and implementing a custodial career path.

The 8 lieutenants that work directly in accomplishing the goals set forth by the Sheriff and Commanders. The 8 sergeants are comprised as a jail force "roll-out" team (Custody Force Response Team) who will oversee, mentor and review all significant force cases that meet a particular criterion, yet do not rise to the level of an Internal Affairs Bureau for investigation.

A "CMTF Strategic Plan," timeline, and organizational chart were submitted with the November 1, 2011, letter.

Three documents are attached relating to force incidents in the jails:

- *Force Used by Month – Significant force vs. Less significant force*
 - *The numbers of significant force have decreased significantly since the initiation of the CMTF.*
- *Force Year to date – 2007 to 2011*
- *Assaults against Jail Personnel*

- XIII. Sheriff to work with the Chief Executive Office to immediately study the feasibility of purchasing Officer Worn Video cameras for all Custody personnel to use, to identify potential funding for this purpose, and develop appropriate policies and procedures for the use of these cameras. Policies should include a requirement that custody personnel record all interactions with inmates, including Title 15 checks, any movement throughout the jail facilities and any use of force. Each failure to record or immediately report any use of force against inmates must be appropriately disciplined.**

The Department concurs with this recommendation; however, it requires field testing. Currently, ISD is working with the Department on a Request for Information (RFI) that will be posted on the County's website. Upon completion of the RFI process, the Department will work with ISD in procuring and deploying the devices for a field test (pilot program) and report its findings to your Board. The Department anticipates initiation of a pilot program February 2012.

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- XIV. Consider the feasibility of targeted and random undercover sting operations performed in custody facilities to ensure deputies are working within policy.**

The Sheriff discussed this motion during the November 1, 2011, closed session meeting.

- XV. Consider a “roll-out team” to investigate when there is a use of force in a custody facility.**

Recommendation implemented – noted in the November 1, 2011, letter.

Beginning November 2011, the Department created a Custody Force Response Team (CFRT), comprised of 8 sergeants and a lieutenant, who are tasked with responding to custody facility force incidents. The CMTF created a set of criteria that mandate facility watch commanders to contact the CFRT and request a response. The CFRT sergeant will oversee and assist in the force documentation for the facility. In the course of reviewing the incident, the CFRT Sergeant shall give specific direction to the handling supervisor. If any policy violations are discovered, the CFRT will immediately assume responsibility of the force investigation and initiate an internal investigation.

All incidents requiring a CFRT response will be reviewed by a newly formed Custody Force Review Committee (CFRC) comprised of 3 Commanders assigned to Custody and Correctional Services Divisions. The CFRC has the authority to order additional investigation, make recommendations, or request an Internal Affairs Investigation if there appears to be a possible violation of Department policy.

- XVI. Report back in 30 days on the hiring standards for deputy sheriffs and how they changed during the last hiring push.**

Recommendation completed - A full report on the hiring standards was provided in the November 1, 2011, letter.

- XVII. Consider a two-track career path for deputies, patrol deputies and custody deputies.**

The Department is working on a two part program that consists of management and deputies. The custody career track for management positions of sergeant, lieutenant, captain, commander, and chief is in preparation. The current policy for deputies states that all deputies must go to a field operations assignment. The Department initial track for deputies is to allow individuals to choose to remain in custody. Moreover, a new custody deputy examination is under review

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REGARDING THE JAIL SYSTEM

that would recruit a deputy applicant to work exclusively in a custodial assignment.

- XVIII. Review existing policy of assigning new deputies to custody functions, specifically, the length of time spent in custody and the hiring trend as its primary determining factor, and revise the policy to reduce the length of time deputies serve in custody.**

The Department created a working group designated to study the custody career path as well as permanent options that will ultimately reduce the length of time deputies serve in custody.

On October 28, 2011, the Department authorized custody personnel to initiate extensions if they desire to remain in their current assignment. To date, 247 deputies have taken advantage of this offer, which will ultimately cause a reduction of time that deputies will serve in a Custody assignment.

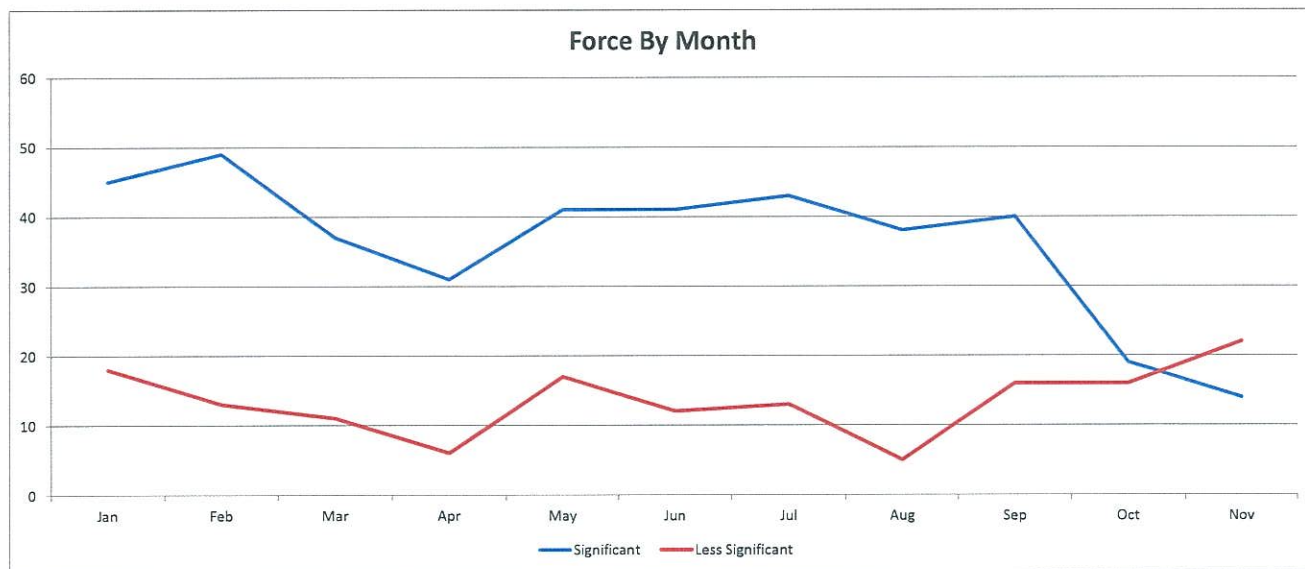


LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

FORCE USED BY MONTH SIGNIFICANT VS LESS SIGNIFICANT

	January			February			March			April			May			June		
CUSTODY DIVISION	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total
CRDF	6	2	8	8	5	13	4	4	8	2	2	4	5	2	7	10	1	11
EAST FACILITY	3	3	6	4	0	4	0	0	0	0	0	0	0	1	1	0	1	1
CST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IRC	9	3	12	9	1	10	11	1	12	10	0	10	6	6	12	8	2	10
MEN'S CENTRAL JAIL	16	1	17	19	1	20	11	1	12	9	2	11	16	5	21	10	3	13
MIRA LOMA FACILITY	0	0	0	0	2	2	1	0	1	0	0	0	0	0	0	0	0	0
NCCF	6	6	12	1	3	4	5	2	7	2	1	3	2	3	5	7	4	11
NORTH FACILITY			0			0			0			0			0			0
SOUTH FACILITY	0	1	1	0	0	0	2	0	2	1	0	1	2	0	2	0	0	0
TWIN TOWERS	5	2	7	8	1	9	3	3	6	7	1	8	10	0	10	6	1	7
	45	18	63	49	13	62	37	11	48	31	6	37	41	17	58	41	12	53

	July			August			September			October			November			Totals		
CUSTODY DIVISION	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total
CRDF	7	2	9	6	2	8	6	1	7	3	1	4	4	5	9	61	27	88
EAST FACILITY	0	1	1	1	0	1	3	2	5	0	0	0	0	2	2	11	10	21
CST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IRC	6	2	8	4	1	5	12	4	16	1	4	5	2	2	4	78	26	104
MEN'S CENTRAL JAIL	17	3	20	17	0	17	11	2	13	4	5	9	4	5	9	134	28	162
MIRA LOMA FACILITY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2	3
NCCF	5	3	8	5	1	6	2	3	5	4	1	5	2	3	5	41	30	71
NORTH FACILITY			0			0			0			0			0	0	0	0
SOUTH FACILITY	1	0	1	0	0	0	2	0	2	1	0	1	0	2	2	9	3	12
TWIN TOWERS	7	2	9	5	1	6	4	4	8	6	5	11	2	3	5	63	23	86
	43	13	56	38	5	43	40	16	56	19	16	35	14	22	36	398	149	547



*Totals presented are as of 11/28/2011

Reportable force is less significant when it is limited to any of the following and there is no injury or complaint of pain nor any indication of misconduct:

- Searching and handcuffing techniques resisted by the suspect,
- Department-approved control holds, come-along, or take down,
- Use of Oleoresin Capsicum spray, Freeze +P or Deep Freeze aerosols, or Oleoresin Capsicum powder from a Pepperball projectile when the suspect is not struck by a Pepperball projectile.

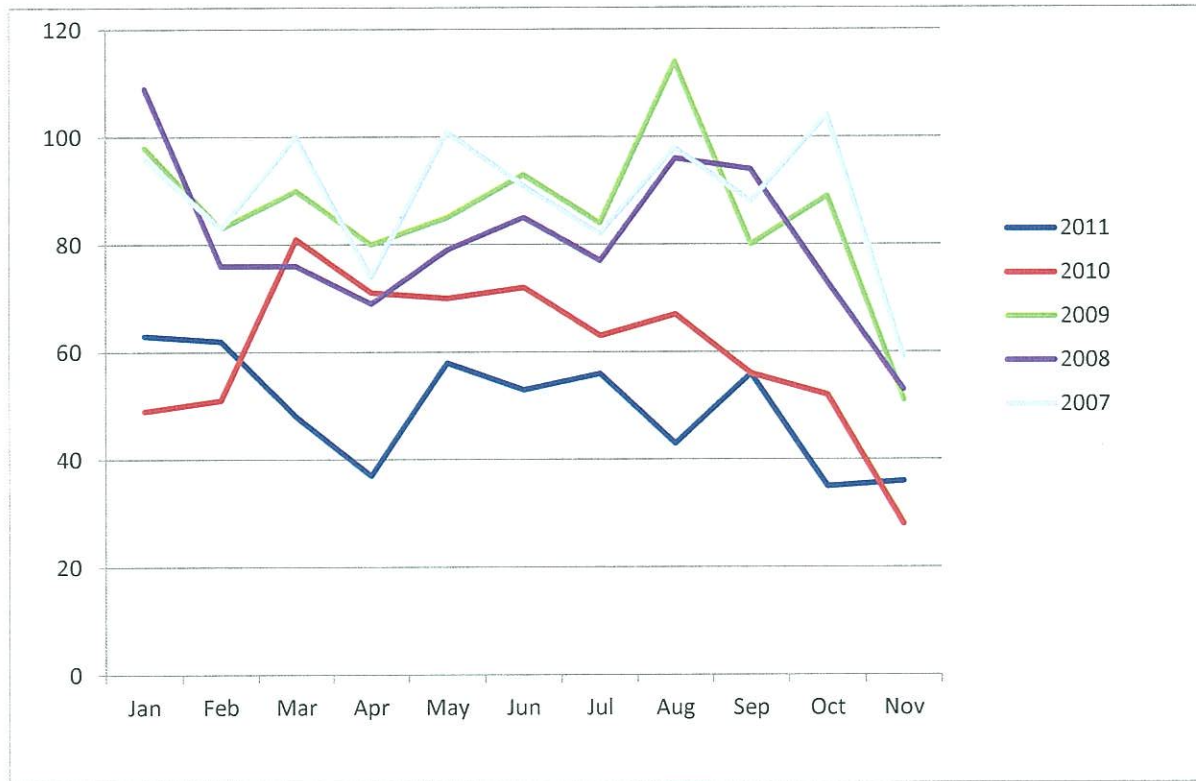
Reportable force is significant when it involves any of the following:

- Suspect injury resulting from use of force,
- Complaint of pain or injury resulting from use of force,
- Indication or allegation of misconduct in the application of force,
- Any application of force that is greater than a Department-approved control hold, come-along, or take down. This includes the activation of the electronic immobilization belt or the use of the Total Appendage Restraint Procedure (TARP).



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

FORCE USED YTD 2007-2011



	2007	2008	2009	2010	2011
Month	Total Incidents	Total Incidents	Total Incidents	Total Incidents	Total Incidents
Jan	96	109	98	49	63
Feb	83	76	83	51	62
Mar	100	76	90	81	48
Apr	74	69	80	71	37
May	101	79	85	70	58
Jun	91	85	93	72	53
Jul	82	77	84	63	56
Aug	98	96	114	67	43
Sep	88	94	80	56	56
Oct	104	73	89	52	35
Nov	59	53	51	28	36
Grand Total	976	887	947	660	547

*Totals presented are as of 11/28/2011

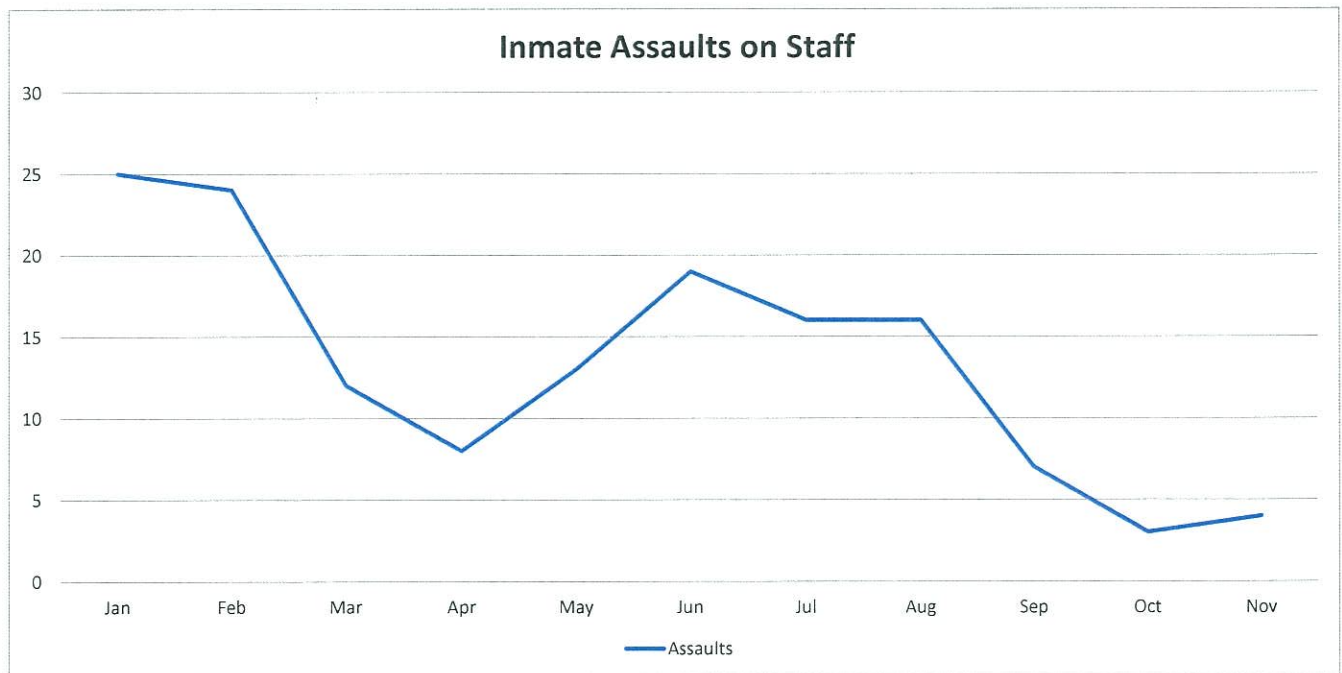


LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

INMATE ASSAULTS ON STAFF; INCIDENTS BY MONTH

	January		February		March		April		May		June	
CUSTODY DIVISION	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj
CRDF	5	3	4	2	1	0			2	2	3	2
EAST FACILITY			2	0								
IRC											2	1
MEN'S CENTRAL JAIL	11	7	10	3	6	2	2	2	6	2	6	1
MIRA LOMA FACILITY												
NCCF	4	2	1	0	1	1	1	0			2	0
NORTH FACILITY												
SOUTH FACILITY					1	0	1	1				
TWIN TOWERS	5	3	7	2	3	2	4	3	5	2	6	3
	25	15	24	7	12	5	8	6	13	6	19	7

	July		August		September		October		November		December	
CUSTODY DIVISION	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj	IM vs Staff	Staff Inj
CRDF	3	0	5	4	1	0			2	0		
EAST FACILITY												
IRC			1	0	1	0						
MEN'S CENTRAL JAIL	10	4	7	2	3	1			2	1		
MIRA LOMA FACILITY												
NCCF			2	0	1	1	2	0				
NORTH FACILITY												
SOUTH FACILITY	1	0										
TWIN TOWERS	2	1	1	1	1	0	1	1				
	16	5	16	7	7	2	3	1	4	1	0	0



*Totals presented are as of 11/28/2011